

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

Civil Action No. 04-12253-MLW

STEVEN McDERMOTT and  
STACEY McDERMOTT,

Plaintiffs

v.

FEDEX GROUND PACKAGE SYSTEMS, INC.,  
T.S. PRUITT, ALLEGIANCE HEALTHCARE,  
INC., D. PONCE, E.W. WYLIE CORPORATION,  
D.W. SMITH ARSENBERGER TRUCKING, INC.,  
J.T. FOSBRINK, RYDER TRUCK RENTAL,  
LORRAINE ODZANA as ADMINISTRATRIX OF  
THE ESTATE OF JAMES J. ODZANA,  
SHORELINE TRANSPORTATION, INC., JACYLYN  
PALETTA as ADMINISTRATRIX OF THE  
ESTATE OF MARIO J. CASTRO,

Defendants

**LORRAINE ODZANA, AS ADMINISTRATRIX OF THE ESTATE OF  
JAMES J. ODZANA'S, MOTION FOR ENTRY OF SEPARATE AND  
FINAL JUDGMENT**

NOW COMES Defendant Lorraine Odzana as Administratrix of the Estate of James J. Odzana ("Defendant Odzana") and moves this Honorable Court pursuant to Fed. R. Civ. P. 54(b) to enter separate and final judgment in favor of Defendant Odzana. In support of this motion, the Defendant submits the accompanying Memorandum of Law and supporting affidavit.

WHEREFORE, the Defendant requests that this Honorable Court enter separate and final judgment in favor of Defendant Odzana with respect to all claims against Defendant Odzana.

Dated: November 26, 2007

Respectfully submitted,

The Defendant,  
LORRAINE ODZANA, as Administratrix  
of the Estate of JAMES J. ODZANA  
By her attorneys,

s/ Michele Carlucci

Maynard M. Kirpalani, BBO#273940

Michele Carlucci, BBO #655211

WILSON ELSEER MOSKOWITZ

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**CERTIFICATE OF SERVICE**

I, Michele Carlucci, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the NEF on November 26, 2007.

/s/ Michele Carlucci